Pollution Incident Response Management Plan (PIRMP)

Bass Point Quarry

July 2023 (Version 7.2)

Website version





Record of Revision

Date	Version	Details of changes	Reviewed by	Approved by
Jul. 2013	1	Original document		
Aug. 2014	2	Review – minor changes		
Jul. 2015	2	Review – no changes		
Jul. 2016	3	Review – minor changes	A Creighton	S Butcher
Mar. 2018	4	Review – updates	A Creighton	S Butcher
Jun. 2019	4.1	Review – no changes	C Flood	S Butcher
20.03.2020	5	 Review – Updates implemented Reformat and general refresh Legislation information added EPL details added Notification information amended Hazardous chemicals manifest and manifest map updated Site map updated 	C Flood	S Butcher
		Review in line with revised NSW EPA guidelines and in response to pollution incident – Updates implemented • Record of PIRMP testing		
27.08.2020	6	 improved DPIE notification requirements updated Improved mechanisms for early warning and updates for nearby premises 	C Flood	S Butcher
27.08.2020 07.10.2020	6.1	 DPIE notification requirements updated Improved mechanisms for early warning and updates for nearby 	C Flood	S Butcher S Butcher
		 DPIE notification requirements updated Improved mechanisms for early warning and updates for nearby premises Review – Updates implemented Improved Risk Assessment for hazards 		



Date	Version	Details of changes	Reviewed by	Approved by
08.08.2022	7	Updated Risk Assessment and relocated to Appendices. Replaced site map and Schedule 11 Manifest with current versions.	C Flood	M Chester
26.09.2022	7.1	Review and update due to legislation change (repeal of POEO (General) Regulation 2009). Updated site map. Updated Schedule 11 Manifest.	C Flood	S Butcher
07.07.2023	7.2	Review following emergency drill. Updated site map. Updated Schedule 11 Manifest.	C. Flood	S. Butcher

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Record of PIRMP testing

Date tested		Details of test (e.g. nature of the test, involvement of other agencies) Note that testing must involve all components of the plan	* () Y	Next scheduled testing date (must be within 12 months from current test)
27/05/2019	Chelsea Flood	,	Clarification of pollution incidents, incident notification and reporting requirements, is necessary	26/05/2020
31/03/2020	Chelsea Flood		Improvement needed in section 4 (hazards to health and the environment), including Risk Assessment on current template rather than written summary.	31/03/2021
15/06/2020	Chelsea Flood	Desktop test – diesel spill (100 L) at Hanson refuel station near new plant	PIRMP was robust and adequate. Scope for improvements to resources on site that will prompt personnel to respond correctly e.g. signage	
25/08/2020	Chelsea Flood	Desktop test in response to major diesel spill (pollution) incident	DPIE contact preferences need to be updated – use of Major Projects portal for notification, rather than phone	24/08/2021
19/01/2021	Stephen Butcher	workers (attendance list included in		18/01/2022



			H	EIDELBERG CEMENT Group
Date tested	,	Details of test (e.g. nature of the test, involvement of other agencies) Note that testing must involve all components of the plan		Next scheduled testing date (must be within 12 months from current test)
08/04/2022	Stephen Butcher	Desktop test/scenario discussed with workers (attendance list included in Emergency Drill Report). Scenario: Front End Loader collided with Quarry fuel tank causing a tank rupture, operator slumped forward in seat and engine running	45	07/04/2023
19/05/2022	Stephen Butcher	workers (attendance list included in		18/05/2023
16/05/2023	Miles Chester Scott Dunster Jone Qereqeretabua David Lynch Chelsea Flood Justin Eather Mathew Cassar Luke Cassar		Several action items for improvement identified in relation to emergency processes, not in relation to the PIRMP.	15/05/2024



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1. Purpose

Hanson Construction Materials Pty Ltd holds an Environment Protection Licence with the NSW Environment Protection Authority (EPA) for the Bass Point Quarry. In accordance with the Protection of the Environment Operations Act 1997 (the POEO Act), the holder of an Environment Protection Licence must prepare, keep, test and implement a pollution incident response management plan (PIRMP) that complies with Part 5.7A of the POEO Act in relation to the activity to which the licence relates (see **Appendix A**).

If a pollution incident occurs in the course of an activity so that material harm to the environment (within the meaning of s. 147 of the POEO Act) is caused or threatened, the person carrying on the activity must **immediately** implement this plan in relation to the activity required by Part 5.7A of the POEO Act.

2. Definitions

The POEO Act defines pollution as:

"Pollution means water pollution, or air pollution, or noise pollution, or land pollution."

The POEO Act defines a pollution incident as:

"Pollution incident means an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. It includes an incident or set of circumstances in which a substance has been placed or disposed of on premises, but it does not include an incident or set of circumstances involving only the emission of any noise."

The POEO Act (s. 147) defines material harm to the environment as:

- "(1) For the purposes of this Part—
 - (a) harm to the environment is material if:
 - (i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or
 - (ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations), and
 - (b) loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.
- (2) For the purposes of this Part, it does not matter that harm to the environment is caused only in the premises where the pollution incident occurs."

Table 1: Requirements of the Protection of the Environment Operations (General) Regulation 2022, relevant to a Pollution Incident Response Management Plan required to be prepared under Part 5.7A of the POEO Act.

Requir	ement	Section in PIRMP
71 Fo	rm of plan—the Act, s 153C	
A PIRM	l plan—	
(a) must be in written form, and	Entire PIRMP
(b) may form part of another document required to be prepared under or in accordance with another law if the information required to be included in the PIRM plan is readily identifiable as that information in that other document.	Section 6
72 Ge	neral licences—additional matters to be included in PIRM plan	—the Act, s 153C
For the	Act, section 153C(d), the following matters must be included in a	PIRM plan—
(a) a description of the hazards to human health or the environment associated with the activity to which the licence relates (the relevant activity),	Section 4 Appendix B
(b) the likelihood of the hazards occurring, including details of conditions or events that could, or would, increase the likelihood	Section 4 Appendix B
(c	details of the pre-emptive action to be taken to minimise or prevent a risk of harm to human health or the environment arising out of the relevant activity,	Section 4 Appendix B
(d	an inventory of potential pollutants on the premises or used in carrying out the relevant activity,	Section 5 Appendix C
(e	the maximum quantity of a pollutant likely to be stored or held at particular locations, including underground tanks, at or on the premises to which the licence relates,	Section 5 Appendix C
(f)	a description of the safety equipment or other devices used to minimise the risks to human health or the environment and to contain or control a pollution incident,	Section 5.3
(g) the names, positions and 24-hour contact details of individuals who—	
	 (i) are responsible for activating the PIRM plan, and (ii) are authorised to notify relevant authorities under the Act, section 148, and (iii) are responsible for managing the response to a pollution incident 	Section 6 Section 7.3
(h) the contact details of each relevant authority referred to in the Act, section 148	Section 7.3
(i)	details of the mechanisms for providing early warnings and regular updates to the owners and occupiers of premises	Section 6.3

quire	ment	Section in PIRMP
	near the premises to which the licence relates or where the scheduled activity is carried on,	
(j)	the arrangements for minimising the risk of harm to persons who are on the premises or who are present where the scheduled activity is being carried on,	Section 4 Section 6
(k)	a detailed map, or set of maps, showing the location of the premises to which the licence relates, the surrounding area likely to be affected by a pollution incident, the location of potential pollutants on the premises and the location of stormwater drains on the premises,	Appendix C Appendix D
(1)	a detailed description of how an identified risk of harm to human health will be reduced, including, as a minimum, by early warnings, updates and the action to be taken during or immediately after a pollution incident to reduce the risk,	Section 4 Section 6
(m)	the nature and objectives of a staff training program in relation to the PIRM plan,	Section 9
(n)	the dates on which the PIRM plan has been tested and the name of the person who carried out the test,	Page iii
(0)	the dates on which the PIRM plan is updated,	Page i
(p)	the way in which the PIRM plan must be tested and maintained.	Section 10.2
Ava	ilability of PIRM plan—the Act, s 153D	
(1)	A PIRM must be made readily available—	
	(a) to an authorised officer on request, and	Noted
	(b) to a person who is responsible for implementing the PIRM plan at the premises—(i) to which the relevant licence relates, or(ii) where the activity takes place	Section 10.1
(2)	A PIRM plan must be made publicly available in the following way within 14 days after it is prepared—	
	 (a) in a prominent position on a publicly accessible website of the person who is required to prepare the PIRM plan, (b) if the person does not have a website—by providing a copy of the PIRM plan, without charge, to a person who makes a written request for a copy. 	Noted
(3)	Subsection (2) applies only in relation to a part of a PIRM plan that includes the information required under—	
	(a) the Act, section 153C(a), and (b) this Regulation, section 72(h) and (i) or 73(b)(ii) and	Noted

Requirement	Section in PIRMP
(4) Personal information, within the meaning of the Privacy and Personal Information Protection Act 1998, is not required to be included in a PIRM plan made available to a person other than an authorised officer.)
Testing of PIRM plan—the Act, s 153E	
 (1) A PIRM plan must be tested— (a) routinely at least once every 12 months, and (b) if a pollution incident occurred during an activity to which an environment protection licence relates, which caused or threatened material harm to the environment, within the meaning of the Act, section 147—within 1 month of the incident occurring. 	
 (2) The test must be carried out in a way to ensure the following— (a) the information included in the PIRM plan is accurate and up to date, (b) the PIRM plan is capable of being implemented in a workable and effective way. 	
(3) A test carried out under subsection (1)(b) must assess the matters specified in subsection (2) in light of the incident.	e Section 10.2

3. Environment Protection Licence (EPL) details

Name of licensee: (including ABN)	Hanson Construction Materials Pty Ltd Locked Bag 5260 Parramatta NSW 2124 ABN: 90 009 679 734
EPL number*:	2193
EPL anniversary date:	15-June
Premises name and address:	Hanson Construction Materials Pty Ltd Bass Point Quarry Boollwarroo Parade Shellharbour NSW 2529
Website address:	https://www.hanson.com.au/about-us/regulatory-information/bass-point-quarry-project/
Scheduled activity/activities o	n EPL: Crushing, grinding or separating Extractive activities
Fee based activity/activities or	n EPL: Crushing, grinding or separating: >2000000 T annual processing capacity Extractive activities: >2000000 T annual capacity to extract, process or store

^{*} Listed in the EPA Public Register

4. Hazards to health and the environment

To minimise risk to human health and the environment the site has an **Environmental Impact** and **Aspect Register** which includes pre-empted hazards, sources for those hazards, risk assessments and controls. This can be found in Section 6 of the **Environmental Management Plan**. For all work methods when performing a task refer to the IRMS (Integrated Risk Management System). The risk assessment associated with the **Emergency Control Plan** is also relevant to potential pollution incidents.

A Pollution Incident Response Risk Assessment has also been completed (Appendix B).



5. Potential pollutants on the premises

5.1. Pollutant inventory

Refer to the Manifest of Schedule 11 Hazardous Chemicals and accompanying site map, as submitted to SafeWork NSW and available in MSMS Folder 25: Labelling, use and storage of hazardous substances and dangerous goods (**Appendix C**). The **hazardous substances and dangerous goods register**, as well as associated Safety Data Sheets, are available on site.

5.2. Pollutant locations

The location of all potential pollutants is included in the Manifest of Schedule 11 Hazardous Chemicals and accompanying site map, as submitted to SafeWork NSW and available in MSMS Folder 25: Labelling, use and storage of hazardous substances and dangerous goods (**Appendix C**). The **hazardous substances and dangerous goods register**, as well as associated Safety Data Sheets, are available on site.

5.3. Safety equipment for pollution response

An inventory of safety equipment for responding to specific emergency scenarios, including pollution incidents, is contained in the **EMERGENCY RESOURCES** section of the **Emergency Control Plan**.

6. Incident response

In the event of a pollution incident that triggers the PIRMP (i.e. the pollution incident *causes* or threatens to cause material harm to the environment):

STOP

6.1. Activate the Bass Point Quarry Emergency Control Plan

Immediately activate the Bass Point Quarry **Emergency Control Plan**.

The alarm will be raised by alerting all personnel via the company radio frequency (Channel 1), UHF 11, and any other UHF channels being used on site:

"Emergency, Emergency, Emergency..."



The Emergency Control Plan is available in printed form at various locations around the site, and it is co-located with the PIRMP so that both documents are accessible during an emergency.

An electronic copy of the Emergency Control Plan is also available on the Bass Point Quarry shared drive

6.2. Procedural implementation

When coordinating procedures to combat any pollution caused by the incident this will follow the **EMERGENCY ROLES AND RESPONSIBILITY** section of the Emergency Control Plan. The **Communications Officer** will be responsible for contacting the required authorities and relaying all necessary information back to persons at the incident location.

Specific procedures are in place, depending on the type of incident that has occurred. This information is contained in the **EMERGENCY SCENARIOS** section of the **Emergency Control Plan**.

Table 2: Page numbers in the Emergency Control Plan for emergency response procedures pertaining to identified hazards to health and the environment.

Identified hazard to health and the environment	Page in Emergency Control Plan
Grass / bushfire	24
Hazardous material spill	27
Hydraulic hose rupture	28
Inundation or inrush – flood emergency	29
Tyre fire	38

6.3. Mechanisms for early warning and updates for premises in the vicinity

6.3.1. Community (residential) notification

For incidents that require the assistance of emergency services, Hanson will consult with the incident controller (i.e. NSW Police Force, Fire and Rescue NSW) about whether community notification should be undertaken. The appointed **Communications Officer** (see the **EMERGENCY ROLES AND RESPONSIBILITY** section of the Emergency Control Plan) would be responsible for initiating residential communication, or alternatively, for delegating this responsibility (e.g. to the site Environment, Sustainability and Safety Supervisor) depending on the urgency of the situation.

Hanson does not possess a register of contact details for nearby residents – this has been deemed impractical and unnecessary, due to the presence of a buffer zone between the site and residential properties, and the density of residential properties near the site. Depending on the nature of community notification that may be required, Hanson may contact Shellharbour City Council for assistance (e.g. to conduct a letterbox drop for affected residents). Note that for incidents that do involve and/or affect landowners/nearby residents,



face to face communications may be appropriate, depending on the situation. Hanson may also use the existing <u>Bass Point Quarry website</u> to communicate with the community.

6.3.2. Other premises notification

Neighbouring landowners and/or occupiers are Shellharbour City Council (caretakers for Bass Point Reserve), Frasers Property and Coastwide Civil Pty Ltd (The Waterfront Precinct), and the National Parks and Wildlife Service (NPWS) (caretakers for Killalea Regional Park). The appointed **Communications Officer** (see the **EMERGENCY ROLES AND RESPONSIBILITY** section of the Emergency Control Plan) would be responsible for initiating residential communication, or alternatively, for delegating this responsibility (e.g. to the site Environment, Sustainability and Safety Supervisor or similar) depending on the urgency of the situation. Communication would be via phone and/or email as appropriate. Relevant contact details are included in **Section 7.4**.

7. Notification and reporting

7.1. What needs to be notified?

Under s. 148 of the POEO Act, Hanson has a duty to **immediately** notify (i.e. via phone) each relevant authority of a **pollution incident** if there is a risk of **material harm to the environment** (see **Section 2** for definitions).

According to the provisions of s. 150 of the POEO Act:

- (1) The relevant information about a pollution incident required under section 148 consists of the following—
 - (a) the time, date, nature, duration and location of the incident,
 - (b) the location of the place where pollution is occurring or is likely to occur,
 - (c) the nature, the estimated quantity or volume and the concentration of any pollutants involved, if known,
 - (d) the circumstances in which the incident occurred (including the cause of the incident, if known),
 - (e) the action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known,
 - (f) other information prescribed by the regulations.
- (2) The information required by this section is the information known to the person notifying the incident when the notification is required to be given.
- (3) If the information required to be included in a notice of a pollution incident by subsection (1) (c), (d) or (e) is not known to that person when the initial notification is made but becomes known afterwards, that information must be notified in accordance with section 148 immediately after it becomes known.

The appointed **Communications Officer** (see the **EMERGENCY ROLES AND RESPONSIBILITY** section of the Emergency Control Plan) would be responsible for fulfilling immediate notification requirements.



7.2. Immediate internal reporting

Contact information for liaising managers and site contact information is located in the **CONTACTS** section of the **Emergency Control Plan**, and the Contact List in Appendix A of the **Emergency & Crisis Management (ECM) Plan**.

Contact details are also displayed as posters at various locations on site, to improve accessibility during an emergency situation.

Contact details for the Owners and Occupiers (Residents and Caretakers) are as follows:

Owners	Hanson Construction Materials Pty Ltd	(02) 9354 2600 or 1800 882 478
Occupiers	Stephen Butcher (Quarry Manager)	0417 252 300
	Chelsea Flood (Supervisor – Environment, Sustainability & Safety)	0448 290 721

If they have not already been otherwise alerted, an Occupier must be contacted immediately following a pollution incident.

7.3. Immediate external reporting

Under the provisions of cl. 137 of the POEO (G) Regulation:

- (1) For the Act, section 149(1), a pollution incident that is required to be notified under the Act. section 148—
 - (a) must be notified verbally to each relevant authority, and
 - (b) must be followed by notification in writing within 7 days of the date on which the incident occurred.
- (2) Notification of the EPA may be achieved by telephoning the EPA environment line.

Note. The Act, section 150(2) provides that the information contained in a notification must be the information known when the notification occurs. If information becomes known between the immediate notification given verbally and the time when written notification is required to be given, the new information will be required to be notified immediately after it becomes known and to be included in the written notification.

Pollution incidents must be **notified via phone immediately** in the order listed below:

Environment Protection Authority (EPA)+ 'Environment Line'	131 555
NSW Resources Regulator [if notifiable under the relevant mining legislation]	1300 814 609
Ministry of Health (Wollongong Public Health Unit) After hours – ask for "Public Health Officer on call"	4221 6700 4222 5000
SafeWork NSW	13 10 50
Shellharbour City Council (the Local Authority)	4221 6111
Department of Planning and Environment (DPE)	Notify online via Major Projects portal

Fire and Rescue NSW*

1300 729 579

- ⁺ The Appropriate Regulatory Authority (ARA) for the Bass Point Quarry is the EPA.
- * Note that if the pollution incident required immediate assistance from emergency services (i.e. 000 was called), Fire and Rescue (NSW) do not need to be called again.

Immediate notification of premises in the vicinity may also be required – see **Section 7.5** for information and **Section 7.4** for contact details.

7.4. Contact details for premises in the vicinity

The following contact details may be used to contact premises in the vicinity. The appointed **Communications Officer** (see the **EMERGENCY ROLES AND RESPONSIBILITY** section of the Emergency Control Plan) would be responsible for fulfilling immediate notification requirements; this responsibility may be delegated to an alternate role depending on the urgency of the situation.

Shellharbour City Council Contact: Customer service centre (all-hours) (caretakers for Bass Point Reserve) Ph.: 4221 6111

Frasers Property (The Waterfront Precinct)

Coastwide Civil (The Waterfront Precinct)

Killalea Regional Park

As discussed in **Section 6.3.1**, Hanson does not possess a register of contact details for nearby residential premises.

7.5. Within 7 days – written reporting

The verbal notification must be followed by a **written notification** within 7 days of the date on which the incident occurred. This written notification must contain all of the information required under s. 150 of the POEO Act.



Hanson also has written notification requirements under the provisions of Project Approval 08_0143 and EPL-2193; these requirements are summarised below. Reference the listed regulatory condition for further information about the structure and content that must be included in the written notification.

Notification trigger	Party to be notified	Time period	Regulatory condition
Environmental harm	EPA	Within 7 days of the date on which the incident occurred	EPL-2193 licence condition R2.2
Incident #	Secretary of the DPIE and any "relevant agency"	Within 7 days of the incident	MP 08_0143 Schedule 5 Condition 7
Monitoring results that indicate an exceedance	Landowners	As soon as practicable, and no longer than 7 days, after obtaining monitoring results	MP 08_0143 Schedule 4 Condition 1

[#] Whereby "incident" is defined as a set of circumstances that (i) causes or threatens to cause material harm to the environment; and/or, (ii) breaches or exceeds the limits or performance measures criteria in the consent [MP 08_0143].

Written notification requirements are the responsibility of the site **Environment**, **Sustainability and Safety Supervisor** or alternate delegate if required.



8. Record and review

Following a pollution incident, an investigation will take place following the procedures of the **Mine Safety Management System (Section 10: Accident & Serious Incident Investigation)**. This includes the involvement and review of findings by all relevant parties, including any necessary outside parties.

The incident will be recorded using the central records management system, SAP, by creating an IRIS event. This may also be accompanied by a written investigation report, which can be uploaded to the IRIS event as an attachment.

The PIRMP must then be reviewed within 1 month of the date of the incident (see **Section 10.2**).

9. Staff training

All personnel are trained to respond to emergency scenarios, including pollution incidents. Training is in the form of an annual emergency drill, which may include both safety and environmental components. Typically, each shift will complete their emergency drill separately, for logistical reasons. These drills are designed to ensure that all workers are adequately prepared to respond to pollution incidents. To record staff training in emergency procedures, the Site Emergency Drill Report (HCM-FM-E6-001) and a Training Attendance Record are completed for each emergency drill. The completed forms are uploaded to the central records management system, SAP, as an IRIS meeting document.

All workers are also required to complete an online training module on environmental principles as part of the annual Health, Safety and Environment Charter, as well as a separate module about spill control.

10. PIRMP maintenance

10.1. Availability of the PIRMP

The PIRMP is available in printed form at the premises – it is co-located with the Emergency Control Plan. This is because the Emergency Control Plan contains procedures for responding to specific incidents, including pollution incidents. An electronic copy of the PIRMP is also available on the Bass Point Quarry shared drive.

An amended version of the PIRMP – with permissible information redacted – is publicly available on the company website. It must also be made available at the request of an authorised EPA officer, response agencies during an incident, and members of the public on request.



10.2. Testing of the PIRMP

It is a legal requirement to test the PIRMP **every 12 months**. Two forms of PIRMP testing are used to meet this requirement:

- Desktop simulation annual desktop simulation completed by a competent person.
 This test is scheduled in SAP to ensure that it is completed as scheduled.
- Emergency drill annual mock emergency or emergency drill, involving all workers.
 The emergency drill typically has both safety and environmental components, although may instead consist of two separate emergency drills to test these components.

Testing will include all components of the PIRMP, including training requirements. The Site Emergency Drill Report is used to record the details of all PIRMP tests, and the completed forms are uploaded to the central records management system, SAP, as an IRIS meeting document.

It is also a legal requirement that the PIRMP be tested within 1 month of any pollution incident.



11. References

Hanson documentation

IRMS – Integrated Risk Management System:

- This contains policies, work methods, forms and checklists. These are written to comply with ISO 9001, ISO 14001, AS4801, state based WHS and environmental legislation.
- It covers an overview of emergency process control.
- This is intranet based.

MSMS - Mine Safety Management System:

- This is procedural manual based on the IRMS and quarry safety legislation.
- Copies of the manual are available as a hard copy on site or on the Hanson intranet site.

Emergency Control Plan:

- This contains actions required to deal with minor potential safety and environmental incidents. It outlines site emergency teams and site maps. It addresses material spills, hydraulic hose ruptures, etc.
- An annual emergency drill is carried out to assess the emergency plan.
- Multiple hard copies are available on each site.

Emergency and Crisis Management Plan:

- This is used for significant safety and environmental incidents.
- The Plan covers what needs to be done if there is major oil/fuel spill, major Vehicle accident, Fire, etc.
- The Plan also includes a crisis contact list covering contact details for internal employees and external emergency resources
- Available on each site co-located with Emergency Control Plan

EMP – Environmental Management Plan:

- This is document detailing the overall environmental management of site. It forms part of the IRMS.
- It includes an impact and aspect register. The register documents environmental risks and how these are eliminated/controlled on site.

External references

- NSW EPA September 2013, Environment Compliance Report: Requirements for preparing and implementing Pollution Incident Response Management Plans
- NSW EPA September 2022, Guideline: Pollution Incident Response Management
 Plans
- NSW EPA, Environment Protection Licence 2193 (EPL-2193)
- NSW Government Department of Planning and Environment January 2019, Project Approval 08 0143
- Protection of the Environment Operations Act 1997 (NSW)
- Protection of the Environment Operations (General) Regulation 2022 (NSW)



Appendices

Appendix A – Relevant requirements of POEO Act Part 5.7A

Table A-1: Relevant requirements of the POEO Act Part 5.7A Duty to prepare and implement pollution incident response management plans.

Requirement	Section in PIRMP
153A Duty of licence holder to prepare pollution incident response management plan	Noted
The holder of an environment protection licence must prepare a pollution incident response management plan that complies with this Part in relation to the activity to which the licence relates. Maximum penalty— (a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or (b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues. Note. An offence against this section committed by a corporation is an executive liability offence attracting executive liability for a director or other person involved in the management of the corporation—see section 169A.	
153C Information to be included in plan	
A pollution incident response management plan must be in the form required by the regulations and must include the following—	Entire PIRMP
(a) the procedures to be followed by the holder of the relevant environment protection licence, or the occupier of the relevant premises, in notifying a pollution incident to—	
 (i) the owners or occupiers of premises in the vicinity of the premises to which the environment protection licence or the direction under section 153B relates, and (ii) the local authority for the area in which the premises to which the environment protection licence or the direction under section 153B relates are located and any area affected, or potentially affected, by the pollution, and (iii) any persons or authorities required to be notified by Part 5.7, 	Section 7
(b) a detailed description of the action to be taken, immediately after a pollution incident, by the holder of the relevant environment protection licence, or the occupier of the relevant premises, to reduce or control any pollution,	Section 6 (references Emergency Control Plan)
(c) the procedures to be followed for co-ordinating, with the authorities or persons that have been notified, any action taken in combating the pollution caused by the incident and, in	Section 6 (references Emergency Control Plan)



Requirement

particular, the persons through whom all communications are to be made.

(d) any other matter required by the regulations.

Section 2

Section 10.1

153D Keeping of plan

A person who is required to prepare a pollution incident response management plan under this Part must ensure that it is kept at the premises to which the relevant environment protection licence relates, or where the relevant activity takes place, and is made available in accordance with the regulations.

Maximum penalty—

- (a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or
- (b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.

Note. An offence against this section committed by a corporation is an executive liability offence attracting executive liability for a director or other person involved in the management of the corporation—see section 169A.

153E Testing of plan

A person who is required to prepare a pollution incident response management plan under this Part must ensure that it is tested in accordance with the regulations.

Maximum penalty—

- (a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or
- (b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.

Note. An offence against this section committed by a corporation is an executive liability offence attracting executive liability for a director or other person involved in the management of the corporation—see section 169A.

153F Implementation of plan

If a pollution incident occurs in the course of an activity so that material harm to the environment (within the meaning of section 147) is caused or threatened, the person carrying on the activity must immediately implement any pollution incident response management plan in relation to the activity required by this Part.

Maximum penalty—

Section 10.2

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(a) in the case of a corporation—\$2,000,000 and, in the case of a continuing offence, a further penalty of \$240,000 for each day the offence continues, or

(b) in the case of an individual—\$500,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues.

Note. An offence against this section committed by a corporation is an executive liability offence attracting executive liability for a director or other person involved in the management of the corporation—see section 169A.



Appendix B – Risk assessment [REDACTED]





Appendix C – Hazardous Chemicals Manifest and Manifest Map [REDACTED]





